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CASE #IV 2274197

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ADMINISTRATIVE RIGHTS FORM

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INTERVIEW - WITNESS

INTERVIEW - WITNESS

INTERVIEW - WITNESS

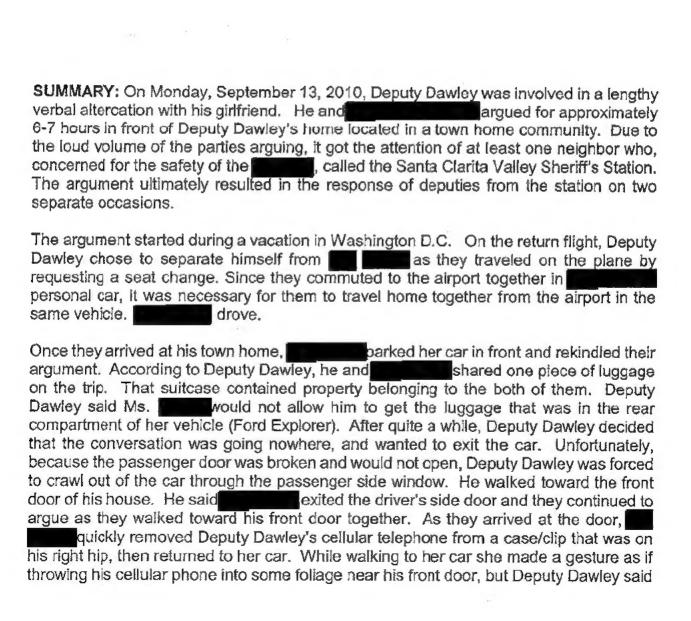


EXHIBITS:

- A. MEMO FROM LIEUTENANT GREENBERG TO CAPTAIN ROLLER
- B. INCIDENT REPORT (SH-AD-49) URN 910-15286-0673-340
- C. DEPUTY DAILY WORKSHEETS
- D. EMAIL FROM SERGEANT ALLEN (SCT STATION) TO LT. GREENBERG
- E. REFUSAL TO PROSECUTE FROM MS. MARTIN

PHOTOGRAPHS

MISCELLANEOUS DOCUMENTATION



that he did not see anything actually being thrown. He followed her to the car and asked for the return of his phone and that he be able to get his property contained in the luggage, she refused. He asked to return his phone several times and she again refused telling him that she threw his phone into the plants.

Deputy Dawley said he then searched for his phone in the bushes where the phone should have been for over two hours (approximately 1800-2000.) remained in her car, waiting. During this time, they continued to banter back and forth between one another. Deputy Dawley believed that did not leave because she wanted to talk to him. Later, after not locating his phone in the bushes, he believed that could still have the phone in the car, so he agreed to talk to her hoping she would return it.

Deputy Dawley got back in the car with the car with the sat in the passenger seat, she in the driver's seat. When asked, she said she did not have the phone because she threw it. Deputy Dawley began rifling through the front and rear cargo area of the car in search of his phone.

Note: This was the time she alleged that he took her car keys.

He was unable to locate his phone but did convince her to allow him to take the luggage, on the condition that he return to talk, after he put it in the house. He put the luggage with both their possessions in his house and returned to the car as promised.

| Deputy Dawley said he got frustrated because of the situation with his phone, so he |
|--|
| grabbed phone from atop the center console area of her car, then left with it |
| through the passenger door window. Said that Deputy Dawley grabbed her cell |
| phone from her hand which was inconsistent with Deputy Dawley's recollection. Deputy |
| Dawley said, exited the driver's side of the car and followed Deputy Dawley |
| asking for her phone as he went into the house, leaving her outside. She knocked on the |
| front door until he came back outside with her phone approximately 5 minutes later. They |
| continued to argue. By this time, per Deputy Dawley, it was approximately 2100 hours. |
| got back in the car as he remained outside of it. She and Deputy Dawley |
| continued to argue/talk about their relationship and the phones through the passenger |
| window of her car. He continued to ask for his phone. said she did not have |
| it and that she really threw it in the bushes. Said that Deputy Dawley appeared |
| very frustrated and angry with her, acting out by kicking the passenger front door of her car, |
| causing damage and leaving foot prints. Additionally, Witness observed the |
| damage, after the fact and stated that it appeared to be recent, as a dirty footprint was |
| visible. The handling deputy from Santa Clarita Station (Deputy Rooney) noted in his report |
| that footprints were visible on the door of the vehicle and provided pictures of the damage, |
| consistent with the statement of |

Note: Deputy Dawley admitted that he may have leaned against the car with his foot at some point during the argument with however, he denied that his kicked the car at any time.

Deputy Dawley then said he threw causing it to break into several pieces as the arguing continued. Said that Deputy Dawley threw the phone to the ground twice, because it did not break the first time.

Deputy Dawley said he just wanted her to leave. He felt they were "even" after breaking her cellular phone and just wanted her to go home. He said she now asked for her clothes from the luggage and he told her he didn't have her clothes, even though he admitted to taking the luggage that contained her clothing into the house. Deputy Dawley said that in addition to her clothes, she was asking for her keys. He said he did not have her keys but did see them fail to the ground while they were arguing. He felt that based on the circumstances, he was not going to help her with the keys and tell her where he saw them fall. Said that she saw Deputy Dawley remove the keys from the ignition of her running car, and "escaped" through the open passenger side window before she could stop him. She said Deputy Dawley threw the keys into his house and closed the door as he remained outside and continued to argue with her.

Deputy Dawley said he went into the house and went to sleep somewhere between 2200-2230 hours.

Deputies from the Santa Clarita Sheriff's Station responded to his home on two separate occasions (SCT 10257-0013 and SCT 10256-0355). They arrived the first time at 2218 hours. The arrival time for the second call was at 0038 hours.

During the first response by deputies, they were unable to make contact with Deputy

| Dawley. He failed to answer the front door. They spoke with and left the location. Said that she told the responding deputies that everything was fine and there was no problem because she did not want Deputy Dawley to get in trouble. Deputy Dawley said he was unaware that deputies responded to his home until the next morning, because he is unable to hear his doorbell when he was in his upstairs bedroom. According to both and Witness Deputy Dawley was in fact outside after the indicated 2200-2230 time frame, after the responding deputies left. They both said that he came back outside between the two separate responses by deputies and that and Deputy Dawley were still actively arguing during this time. |
|--|
| Santa Clarita Sheriff's Station was again called, this time by after Deputy Dawley removed items from her car and refused to return them to her. She stated that when she commented about calling local law enforcement, Dawley stated, "go ahead, I'm above the law." Witness also stated that she heard him comment about "knowing his rights, that he would just not answer the door and they could not do anything about it." Law enforcement was called at 0025 hours and arrived at 0038 hours. By this time Deputy Dawley had gone back inside his home. Again, they were unable to contact Deputy Dawley as he failed to answer the door. Deputies simply assisted with her car trouble. An incident report documenting Burglary and Vandalism was ultimately generated naming Deputy Dawley as the suspect. |

The report was dated 09-15-2011, URN 910-15286-0673-340.

| Deputy Dawley was contacted the afternoon of Tuesday, September 14, 2010, by Lieutenant Lane Greenberg, in the presence of Sergeant Tim Hayes. Lieutenant Greenberg asked if he (Dawley) had anything to tell him. Deputy Dawley responded "is this regarding last night with "" He said "well since you're asking, I guess deputies came to my house." Acknowledging the fact that he was aware of Department response. Deputy Dawley did not report the incident once he was aware that deputies responded to his home, nor did he report it once he arrived at Van Nuys Court for his scheduled shift. Deputy Dawley reported to work at 0830 and did not report the incident to supervisors until asked, despite having been at work for at least 3 ½ hours. Deputy Dawley failed to notify a supervisor of this off-duty incident per MPP section 3.01/050.30. |
|---|
| Attempting to mediate the situation between Deputy Dawley and Cleutenant Greenberg asked about the property belonging to Deputy Dawley denied having any property belonging to He said he removed two pieces of luggage from her car, but they did not contain her property. Lieutenant Greenberg requested that Deputy Dawley "look around his house" to see if he could locate any property belonging to The deputy agreed to conduct a search and advise the following day. |
| On Wednesday, September 15, 2010, Deputy Dawley was again contacted by Lieutenant Greenberg and asked if he had located any of the property that alleged he took. Deputy Dawley said he had not. He repeated that he did not have her keys or any other property belonging to Lieutenant Greenberg again asked Deputy Dawley to look around his house and if he were to find anything, to turn it in to his sergeant first thing the following morning (09-16-2010). |
| By noon, Thursday, September 16, 2010, Deputy Dawley had not spoken with Sergeant Tim Hayes, either confirming or denying the success of his search for any of property. Sergeant Hayes therefore, had to walk to his courtroom and contact Deputy Dawley to determine the success of his search. It was only then that the Sergeant Hayes was handed several items by Deputy Dawley that he said belonged to the items given to Sergeant Hayes were consistent with the items described by during her previous discussions. These were the items Deputy Dawley told Lieutenant Greenberg he did not have when asked on Tuesday, September 14, 2010 and again on the 15th. |
| The property, brought in by Deputy Dawley, was returned to september 17, 2010 by Sgt. Munshi. September 17, 2010 by Sgt. Munshi. Spicked up her property at Van Nuys Court. This case was initially referred to ICIB for investigation. Criminal charges were not filed and the case was referred back to Court Services Division for completion of a unit level investigation. Following that initial inquiry of by Lieutenant Greenberg, she refused to further cooperate with the investigation because of Dawley. |

DISCIPLINE ASSESSMENT

| Review of Applicable "Guidelines For Discipline" Sections | |
|---|--|
| The Department's Cuidelines for Discipline lists the following englace: | |

The Department's Guidelines for Discipline lists the following analogous misconduct with associated disciplinary penalties:

General Conduct (Embarrassment to Department) W/R to Discharge

False Statement 10 Days to Discharge

Off-Duty Incidents (Notification to supervisor) 3-10 Days Suspension

Assessment of Mitigating and Aggravating Factors

Subject Deputy Jerome Dawley was involved in a lengthy argument with his front of his house. It was loud and in a public place. The duration of which was more than six hours.

Deputy Dawley demonstrated extreme anger during the event culminating with the destruction of cellular phone and damage to her passenger side car door. On two separate occasions, he failed to acknowledge responding deputies and mitigate the situation.

Throughout the initial inquiry, Deputy Dawley failed to admit his culpability by denying possession of items he eventually presented for return. Had he simply returned the items at the request of his supervisor, this matter would have been mitigated.

Alcohol did not appear to be a factor in this incident.

Severity of Infraction:

Being involved in a loud disturbance lasting 6-7 hours, in a public place, requiring police response, twice, causes embarrassment to the Department. Vandalizing the personal property of another person, as well as the "holding hostage" of the property of another person, in retaliation, was not consistent with The Core Values of the Los Angeles County Sheriff's Department and in fact could be considered a crime. Failure to report an off-duty incident, and making false statements to a supervisor when questioned about that incident, are in direct violation of Department Policy.

Intent, Truthfulness and Acceptance of responsibility:

Subject Dawley was uncooperative and untruthful during the initial inquiry. He made false statements to supervisors regarding the taking and possession of property belonging to Deputy Dawley had been provided several opportunities to admit to having property, and several opportunities to return it in a timely fashion but refused do so.

Degree of Culpability

Subject Dawley admitted to being involved in this incident on Monday, September 13, 2010. He admitted destroying the personal property of Although he did not initially admit to having property belonging to the eventually provided the clothing, etc., as described to the deputies who responded to take a crime report on Monday, September 13, 2010. On Thursday, September 16, 2010, Deputy Dawley subsequently surrendered

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| - 0- |
|---|
| the items to Sergeant Hayes for return to Deputy Dawley remained less than cooperative for several days following the incident in question. Deputy Dawley denied kicking car and denied knowing how footprints appeared on her vehicle as described, and photographed (See attached photos). |
| |
| Other Factors On Tuesday, September 14, 2010, had Deputy Dawley been completely forthcoming during the supervisory inquiry regarding the incident from the night before, this investigation could have been avoided only wanted her property returned and did not desire that Deputy Dawley be disciplined. was, and is still, involved in a with Deputy Dawley. They both describe now than in September, 2010. Because of this, she was uncooperative during the latter portions of the investigation and refused to comment further. |
| <u>Disposition</u> Based upon the foregoing assessment of mitigation and aggravating factors, the charges against the subject are founded and the following action is recommended. |
| Discharge Reduction in Rankx Suspension with loss of pay for 15 days Written Reprimand Unresolved Unfounded |

LOS ANGELES COUNTY DISTRICT ATTORNEY CHARGE EVALUATION WORKSHEET

Page 1 of 2

| Y = | | AGENCY NAME | SMAL AFFEIDE | DA CA | ASE NO. | 3112014 | 15 | DATE 06/03/2011 | |
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| MISDEMEANOR | | AGENC! FILL NE. (BIT BIT GIRT) | | J.S.I. | I.D. #10-0807R | | YES - NOTIFY VWAP NO | | |
| | | 010-050-20 | | | | | | CHARGES | |
| NO. | | şu | SPECT | | | CODE | SECTION | OFFENSE DATE | REASON CODE |
| | NAME (LAST, F | RST MIDDLE) | | | | | | | |
| | DAWLEY, JE | | | | | PC PC | 459 594(A) | 09/13/2010 09/13/2010 | B,G 8.G |
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| | Victim Name: | | | | | Violim E | 00B: | | · · · · · · · · · · · · · · · · · · · |
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| COI FER | MPLAINT DEPUT | TY (print) COMI | to the above-named | Deputy I | 134 District At | 362 torney to | | sideration of a filing | rio Conzalez |

TO:

MEMO TO FILE

JSID #10-0807R

| THROUGH: | SERGIO GONZALEZ, Head Deputy Justice System Integrity Division |
|---|---|
| FROM. | FERNANDO GUZMAN, Deputy District Attorney Justice System Integrity Division |
| RE: | LASD Deputy Jerome Dawley LASD File #910-00046-2003-441 |
| DATE: | May 23, 2011 |
| completed its review of alleg (LASD) Deputy Jerome Day | Division of the Los Angeles District Attorney's Office has gations that off-duty Los Angeles Sheriff's Department wley burglarized a vehicle and vandalized a cellular nal Code sections 459 and 594(a)(2). For the reasons set nes to initiate criminal proceedings. |
| mi Cattoning analysis is ha | sed upon reports submitted to this office by Sergeant William hal Criminal Investigations Bureau. |
| | an oral argument with his while parked outside of his apartment. Threw Dawley's arby bushes. Dawley threw phone to the ground, took car keys and went into his apartment. |
| After left the area, I | Dawley retrieved some of property from her car and called the police in order to get her keys back from view was contacted by his supervisor, Lieutenant Lane |
| only wanted her keys return | stated that she was not desirous of prosecution. She ned to her. When contacted by Sergeant Cassidy, she refused the then signed a refusal to prosecute form. I spoke to contacted this position. She felt that the situation had gotten "way erated this position. She felt that the situation had gotten "way |
| having called the police. S | a much more serious relationship with Dawley. She regrets the does not wish to cooperate with a prosecution. This rithout further investigation. |



County of Los Angeles Sheriff's Department Headquarters



4700 Ramona Boulevard Monterey Park, California 91754-2169

March 11, 2014



Dear Deputy Dawley:

You are hereby notified that pursuant to an Education-Based Discipline (EBD) Agreement between you and this Department dated May 10, 2012, you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of fifteen (15) days. However, pursuant to the amended EBD agreement, five (5) of the fifteen (15) days will be held in abeyance for a period of twelve (12) months which will end on July 9, 2014. All Department records will reflect, nevertheless, that you received a fifteen (15) day suspension. In accordance with the EBD Agreement, you have agreed to participate in an education-based alternative to discipline. Should you fail to complete any of the terms and conditions of the EBD Agreement, the five (5) days held in abeyance will be imposed.

The effective dates for the remaining ten (10) day suspension are from March 12, 2014, through March 21, 2014.

An investigation under IAB File Number 2274197, conducted by Court Services West Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual Policy and Procedures Sections 3-01/030.15, Conduct Toward Others; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders; and/or 3-01/030.05, General Behavior, on or about September 13, 2010, you were involved in a lengthy verbal altercation with Complainant (Complainant Complainant Complai

enforcement. During this incident, you damaged Ms. personal property (cell phone), and/or the passenger side door of her vehicle, and/or took into possession Ms. personal property.

- 2. That in violation of Manual Policy and Procedures Section 3-01/040.70, False Statements, on or about September 14, 2010, and/or September 15, 2010, on numerous occasions you were questioned by your supervisor(s) as to the whereabouts of Ms. property that you took into possession, on or about September 13, 2010. You denied to your supervisor(s) of having possession of Ms. property on all occasions, although ultimately returning the item(s).
- 3. That in violation of Manual Policy and Procedures Section 3-01/050.30, Off-Duty Incidents, on or about September 13, 2010, you failed to report an off duty incident to your supervisor(s) where the local Sheriff's Station responded regarding an altercation with Ms.

Additional facts for this decision are set forth in the Disposition Worksheet, Investigative Summary and Investigative Packet which are incorporated herein by reference.

Prior to imposing this disciplinary action, your unit commander has thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

JOHN L. SCOTT, SHERIFF

Original Signed

Maria R. Gutierrez, Captain Court Services West Bureau Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

MRG:AEA:md

c: Advocacy Unit
Chief Richard J. Barrantes, Court Services Division
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Court Services West Bureau/Unit Personnel File

EDUCATION-BASED DISCIPLINE AGREEMENT

This Agreement is entered into between the Los Angeles County Sheriff's Department, hereinafter referred to as "Department," and Deputy Jerome Dawley, Employee No. hereinafter referred to as "Deputy Dawley."

The Department and Deputy Dawley are parties to this dispute and desire to settle all Issues involved in IAB No. 2274197 upon the terms and conditions hereinafter set forth.

NOW, THEREFORE, the Department and Deputy Dawley for and in consideration of the mutual covenants contained herein, agree as follows:

- Both parties agree that the fifteen (15) day suspension shall stand.
- 2. The Department will, upon execution of this EBD Agreement, hold five (5) days in abeyance pending completion of the below listed training for a period of twelve (12) months from the date of execution of this EBD Agreement. The remaining ten (10) suspension days shall be imposed.
- 3. Both parties agree and understand that Deputy Dawley's records will reflect that the fifteen (15) day suspension was imposed and may be used for the purposes of demonstrating "progressive discipline." In addition, Deputy Dawley understands that he will be subjected to additional discipline for each and every founded violation of the Department's Manual of Policy and Procedures.
- 4. Deputy Dawley further agrees to attend and complete the below listed EBD course and understands that failure to complete the courses and assignments shall result in the imposition of the five (5) days held in abeyance:
 - Lieutenant's Interactive Forum for Education (LIFE) class (8 hours)
 - Anger Awareness-Management class (4 hours)
 - Anger Management & Effective Communication class (8 hours)
 - Relationship Management-Conflict Resolution class (4 hours)
 - Dealing with Difficult People class (4 hours)
 - Write an evaluation reflecting on your experience with the EBD process
- The Department may adjust Deputy Dawley's schedule to participate in EBD courses and EBD Items, as EBD is conducted on-duty.
- 6. Deputy Dawley agrees to cooperate with his Unit Commander to complete the courses as soon as practicable, but no longer than one (1) year from the date of execution of this EBD Agreement.

- 7. Deputy Dawley further agrees to waive any and all further administrative or judicial remedies with respect to the Letter of Imposition and the modified discipline, and also waives any administrative or judicial remedies with respect to any imposition pursuant to paragraph two (2), above. This waiver shall include, but not be limited to, appeals to the Los Angeles County Civil Service Commission and/or the Los Angeles County Employee Relations Commission.
- 8. The parties further agree that this EBD Agreement shall not be considered, cited, or used in future disputes as establishing past precedent or past employment practice.
- 9. In consideration of the terms and conditions set forth herein, Deputy Dawley agrees to fully release, acquit and forever discharge the County, and all present and former officers, employees and agents of the County, and their heirs, successors, assigns and legal representatives from any and all liability whatsoever for any and all claims arising out of or connected with the employment relationship between the County and Deputy Dawley concerning the subject matter referred to herein.
- 10. Deputy Dawley further agrees to relinquish and expressly waives all rights conferred upon him by the provisions of California Civil Code Section 1542, which reads as follows:
 - "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."
- 11. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the "effective date" of this EBD Agreement.
- 12. The parties agree that the foregoing comprises the entire EBD Agreement between the parties and that there have been no other promises made by any party. Any modification of this EBD Agreement must be in writing.

I have read the foregoing EBD Agreement, and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

Date: 5/10/12

Jerome Dawley Deputy

Date:

ane B. Greenberg A Cap

AMENDMENT TO EBD AGREEMENT

This amendment to an EBD Agreement (hereinafter, "Amendment") is entered into between the Los Angeles County Sheriff's Department, (hereinafter referred to as "Department"), and Deputy Jerome Dawley, Employee Number (hereinafter referred to as "Deputy Dawley").

This Amendment modifies the EBD Agreement between the parties which was signed by Deputy Dawley and Captain Lane D. Greenberg, effective on May 10, 2012, (hereinafter referred to as "EBD Agreement"). The agreement and this Amendment resolve issues involved in the EBD Agreement under IAB No.2274197, upon the terms and conditions hereinafter set forth.

Now, therefore, the Department and Deputy Dawley, for and in consideration of mutual covenants contained in the EBD Agreement and herein, agree as follows.

- Except as specifically modified in this Amendment, the EBD Agreement remains in effect.
- The parties mutually agree that the term for completing the EBD terms will be extended to November 9, 2014.
- The parties agree that the foregoing Amendment and the EBD Agreement comprise the entire agreement between the parties and there have been no other promises made by any party. Any modification of such agreement must be in writing.

I have read the foregoing Amendment and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences.

Date: 08

Deputy Jerome Dawley

For Sheriff's Dapartment:

Captain James C. Thornton

Court Services West Bureau

PPT vedated